



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Marshall S. Horwitz et al	)	Group Art Unit: 1635
	)	
Application No.: 10/757,590	)	Examiner: John S. Brusca
	)	
Filed: January 15, 2004	)	Confirmation No.: 5121
	)	
For: METHOD FOR PRODUCING NOVEL	)	
DNA SEQUENCE WITH BIOLOGICAL	)	
ACTIVITY	)	

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

All of the listed documents were previously made of record in prior Application Serial No. 09/132,231, filed August 11, 1998, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. In accordance with 37 C.F.R. § 1.98, a copy of each of the listed documents, except those documents which were previously made of record in the prior application, is enclosed.

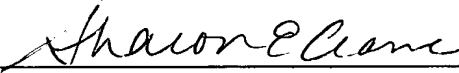
The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

To assist the Examiner, the documents are listed on the attached forms PTO-1449.  
It is respectfully requested that Examiner initialed copies of these forms be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: December 15, 2004

By:   
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Complete if Known

Application Number	10/757,590
Filing Date	January 15, 2004
First Named Inventor	Marshall S. HORWITZ et al.
Examiner Name	John S. Brusca
Attorney Docket Number	032425-001

## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	4,618,578		Burke et al.	10/xx/1986
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## FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation	
					Yes	No
	3546806 C2		Germany	3/xx/1991		
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## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	BORRIAS et al., Virology, 1976, pp. 195-197, Vol. 70
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Substitute for form 1449A/PTO & 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Application Number</b>	10/757,590
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		<b>First Named Inventor</b>	Marshall S. HORWITZ et al.
		<b>Examiner Name</b>	John S. Brusca
<b>Sheet</b>	<b>2</b>	<b>of</b>	<b>4</b>
		<b>Attorney Docket Number</b>	032425-001

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	CORDES et al., Current Opinion in Structural Biology, 1996, pp. 3-10, Vol. 6
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	ZOLLER et al., Nucleic Acids Research, 1982, pp. 6487-6500, Vol. 10, No. 20

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